



State of Delaware
Public Employment Relations Board
4th Floor, Carvel State Office Building
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Wilmington, Delaware 19801

Telephone: (302) 577-5070
Facsimile: (302) 577-3297

NOTICE OF BARGAINING UNIT CLARIFICATION

LIUNA LOCAL 1029,
and
DHSS/DDDS, STOCKLEY CENTER

:
:
: **Representation Petition**
: **No. 17-12-1126**
: **Clarification Petition**
:

SECURITY OFFICERS – STOCKLEY CENTER

On December 1, 2017, a petition was filed by LIUNA Local 1029 seeking to clarify the bargaining unit status of **SECURITY OFFICER** positions employed at the Stockley Center in Georgetown, Delaware, by the Delaware Department of Health and Social Services, Division of Developmental Disabilities Services. The following information resolves the question.

On or about October 19, 1965, the International Hod Carriers, Building and Common Laborers Union of America, Local 1029 (later known as the Laborers' International Union of North America) **was certified by the Delaware Department of Labor as the exclusive bargaining representative of a bargaining unit of "all non-supervisory employees at the Hospital for the Mentally Retarded** (later renamed the Stockley Center). The list of included positions was clarified by agreement of the parties on December 20, 1965. Included on that list was the position of "Security Officer". *DOL Case 4*.

A petition to amend this bargaining unit was filed in April, 1976. During the processing of that petition, the parties again stipulated that the "Security Officer" position was include in the bargaining unit. *DOL Case 4(a)*. A third petition was filed in 2004 (with the Public Employment Relations Board) seeking to clarify the bargaining unit. Although Security Officer positions were not explicitly listed in that petition, the notice stated, "Although the Notice of Bargaining Unit Clarification lists specific positions by title, it is not intended to exclude any positions which are or have been included in the bargaining unit over its 35 year history unless such positions were explicitly removed from the unit by PERB or its predecessor, the Governor's Council on Labor." *DOL Case 4(b)*.

There is no evidence in the representation records that the Security Officer position was ever removed or severed from this bargaining unit. The State has not filed any objection to this unit clarification.

WHEREFORE, the classification of **SECURITY OFFICER** employed at the Stockley Center is a bargaining unit position, represented by LIUNA Local 1029.

Finally, there is no dispute that the "Security Officer Supervisor" is not and has not been included in the bargaining unit.

Any questions regarding this matter should be addressed to the Public Employment Relations Board at the address and telephone numbers above.

IT IS SO ORDERED.

Deborah L. Murray-Sheppard
Executive Director, PERB

DATED: January 12, 2018

This Notice must remain posted for a period of thirty (30) days